

**“FAMOUS
SLEUTH” IS
SCORED FROM
BENCH
BY JUDGE B. H.
HILL**

Jurist Mentions No
Names, but

Lets It Be Known W. J.
Burns Is Target in His

Charge to Grand Jury

RAPS DETECTIVES
SEEKING

“MONEY AND
NOTORIETY”

Jurors Told to
Thoroughly

Probe Charges of
Bribery

Coercion and Perjury
Grow-

ing Out of Frank Case

The feature of Judge Benjamin H. Hill's charge to the grand jury Monday morning, demanding a thorough probe of bribery and other charges made by both sides in the Frank case, was the denunciation of a certain type of detectives by Judge Hill. While not calling Detective W. J. Burns by name, Judge Hill made it plain that he had this detective in mind, when he spoke of "famous sleuths" and declared detectives of this class were seeking "not the truth, but money and notoriety." He characterized these "famous sleuths" as a "menace to justice" and declared the "indignation of the people was justly aroused by their activities."

After the new grand jury was empaneled in the criminal court room on the fourth floor of the Thrower building, Judge Hill delivered the routine charge and launched into his special charge on the Frank case.

After the formal prelude, Judge Hill said the courts are powerless without the aid of the juries. The judge is merely an umpire, said he, and can do nothing unless the grand jury does its duty by indicting and the petit jury does its duty by convicting guilty persons.

CASE IS REVIEWED.

"I want at this time to direct your attention, especially to phases of a case which has been on trial in our courts," he continued. "Last year there was a terrible murder done in this community. A man was indicted, tried, convicted. A motion for a new trial was overruled, and the supreme court affirmed the judgment of the lower court, saying there had been no error of law and that the verdict was supported by the evidence. Then came an extraordinary motion for a new trial, based on the ground of alleged new evidence.

"Affidavits were made by some of the witnesses against the defendant in the trial, in which they swore their testimony at the trial had been false, and that they had been induced to make it by detectives."

“Investigate this, and if it is true, return bills against those officers responsible for inducing this false testimony.”

“Later these witnesses recanted, and said they had been induced to repudiate their testimony by bribery, by coercion, by misrepresentation, by detectives employed by the defendant; and some of them even said their affidavits were forgeries.”

ORDERS DILIGENT INQUIRY.

“I charge you to inquire diligently into this and find out which was false, and then it will be your duty to return indictments.”

“Where you find that a detective on either side is responsible for these witnesses making false testimony, you should indict the detective for subornation of perjury and the witness should be indicted for perjury.”

“You have a competent official familiar with the intricate details of the matter, and you can safely follow his guidance. However, I want to charge you especially in regard to an affidavit made by a minister, a man named Ragsdale. In the affidavit he claimed to have heard a negro confess to the crime. A moment after he had heard this remarkable conversation, a member of his congregation came up and identified the negro as Jim Conley. Three days after making the affidavit, Ragsdale said it was false and that he had been paid \$200 and that Barber, who claimed to have come up and identified Conley, was paid \$100. He claimed this money was paid by Arthur Thurman, who lives in this county, and that a detective employed by the defense was present.”

“INDICT MAN WHO PAID.”

“It is your duty to find out if he was induced by money to make this statement. It is your duty not only to indict him for perjury but to indict also the man who paid him. If you have probable cause to believe that any detective employed by the defendant knew this man was to be paid money or furnished the money which he was paid, he should be indicted.”

"Another matter which I want to speak of specifically is this: A negress named Annie Maude Carter, a totally disreputable and utterly worthless character, made an affidavit declaring Jim Conley confessed the murder to her. After making this affidavit, the woman was taken away from the jurisdiction of this court, and was given a long trip."

"It is your duty to inquire diligently into this matter and find out how much, if anything, she was paid to make this affidavit. Of course, if the affidavit was true, it was all right, but it is your duty to find out if, in the popular vernacular, it was a frame-up. Then see who engineered, who worked out, this angle of the case."

"It is of the utmost importance in criminal cases and civil cases that the streams of justice should not be polluted by perjury. Perjury is a crime against justice itself. It is even worse than murder, for murder kills only the body, while perjury kills justice itself."

"Those guilty of perjury or subornation of perjury should be indicted and tried, and, if convicted, should be punished severely as they deserve to be."

"As I have said, there is no need for me to go further into detail at this time, for this matter will be placed in your care by one who has mastered ev-

(Continued on last page column one.)

PDF PAGE 16, COLUMN 1

**"FAMOUS SLEUTH"
IS**

SCORED FROM BENCH BY JUDGE B. H. HILL

(Continued From Page 1.)

ery detail—an efficient, an able and a conscientious officer.

“I think it not amiss to say here that the people of this community have been wrought up and their indignation excited by a detective alleged to be a famous sleuth. I doubt the wisdom of allowing detectives from another state, whether they be noted, famous, or infamous, to come here and criticize our officers and our courts. We have no room here for such men—men who come posing as seeking the truth when they are only seeking notoriety and money. We don’t want them. I think it wise for those who have the right to issue licenses, to inquire into this matter and refuse such people the right to do business here. These men do not detect crime. Rather they encourage crime. They are a menace to the peace of the state and an obstruction to the administration of justice.”

“Never in the history of the state has there been a case which more deserved the consideration of a grand jury than the one I have brought to your attention. I give you this in charge.”

B. L. Willingham was appointed foreman of the grand jury.

MEMBERS OF JURY.

The members of the grand jury empaneled on Monday are: St. Elmo Massengale, Henry Lewis, H. K. Taylor, R. J. Rice, G. S. Pryor, B. F. Burdette, George I. Walker, Charles B. Walker, I. M. Watkins, George Winship, Jr., J. J. Haverty, B. L. Willingham, J. A. Hudson, W. E. Adamson, J. M. McGee, James Bell, E. Rivers, R. A. Sims, Floyd C. Parks, and W. H. Adkins.

Immediately after it was charged the grand jury adjourned to meet again Wednesday.

While no definite statement can be obtained from Assistant Solicitor E. A. Stephens, who will draw the bills against the figures in the Frank case, it is generally believed that the jury will commence its probe on Wednesday.

Motion to Set Aside Verdict Is Postponed

The motion to set aside the verdict against Leo M. Frank because he was not in court when the jury returned it at his trial for the murder of Mary Phagan, will not be heard Wednesday. Instead, it will be heard Saturday morning, beginning at 10 o'clock.

Judge Hill announced the postponement Monday morning, stating that both sides had requested it.

Tuesday Judge Hill will take up the contempt proceedings drawn against Detective W. J. Burns, and will continue with them until they are finished—provided, of course, the attorneys are ready when the case is called.